

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
776

In Re Application Of: **Roy McGee**

Serial No.  
09/934,349

Filing Date  
08/21/2001

Examiner  
Joseph Moore Pelham

Group Art Unit  
3742

Invention: **12 Volt Heated Coffee Mug**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **10/31/2003** finally rejecting Claim(s) **1-6**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☒ has already been filed in this application.

The fee for this Notice of Appeal is: **\$165.00**

- ☒ Form PTO-2038 enclosed to charge credit card.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **07-2380**  
A duplicate copy of this sheet is enclosed.

*Signature*

**John D. Gugliotta, Esq.**  
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**330-253-5678**

**330-253-6658 (facsimile) 165.00 DP**

Dated: **January 23, 2004**

I certify that this document and fee is being deposited  
January 23, 2004 with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

*Signature of Person Mailing Correspondence*

**Terry Lakos**

*Typed or Printed Name of Person Mailing Correspondence*

CC: